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Attorneys for Defendant Certain Underwriters

At Lloyd's London

UNITED STATES DISTRICT COURT

DISTRICT OF UTAH

HITCHMAN FIDUCIARIES, LLC, a
California limited liability company; BRUCE
HITCHMAN, an individual; LEE ANN
HITCHMAN, an individual

Plaintiffs,

vs.

DOMINION INSURANCE SERVICES, INC.,
a Utah Corporation; CERTAIN
UNDERWRITERS AT LLOYD'S LONDON;
and LAWRENCE D. HILTON, an individual,

Defendants.

) Case No.

) **DEFENDANT CERTAIN**
) **UNDERWRITERS AT LLOYD'S**
) **LONDON'S NOTICE OF REMOVAL**

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1 PLEASE TAKE NOTICE that pursuant to 28 U.S.C. § § 1332, 1441, and 1446, Defendant
2 Certain Underwriters at Lloyd's London (herein after "Underwriters") hereby removes this action from
3 the Fourth Judicial District Court of Utah, Utah County to the United States District Court for the District
4 of Utah.

5 TIMING

6 1.

7 Underwriters is a party in a civil action brought against it in the Fourth Judicial District Court of
8 Utah, Utah County entitled: *Hitchman Fiduciaries, LLC, Bruce Hitchman and Lee Ann Hitchman v.*
9 *Dominion Ins. Services, Inc., Certain Underwriters at Lloyd's London and Lawrence D. Hilton.*, Case
10 Number 220401108. (A Copy of the Summons and Complaint in that action is attached to this Notice
11 as **Exhibit A**).

12 2.

13 The state court action was commenced when the Complaint was filed with the county clerk for
14 Utah County, in the Fourth Judicial District Court of Utah, on or about July 21, 2022. A copy of the
15 Summons and Complaint was served upon Underwriters on August 4, 2022.

16 3.

17 Pursuant to 28 U.S.C. §1446(2) a defendant may file a notice of removal of a civil action within
18 thirty (30) days after receipt by the defendant of a copy of the initial pleading setting for the claim upon
19 which such action is based.

20 DIVERSITY JURISDICTION EXISTS

21 4.

22 Plaintiffs Bruce and Lee Ann Hitchman are citizens of California. Plaintiff Hitchman Fiduciaries,
23 LLC is domiciled in the State of California, with its principal place of its business in California.

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1 5.

2 Defendant Lawrence D. Hilton is a citizen of Utah. Defendant, Dominion Insurance Services,
3 Inc. (“Dominion”) are domiciled in Utah with its principal place of business in Utah.

4 6.

5 Underwriters is domiciled in the United Kingdom, with its principal place of business in the
6 United Kingdom.

7 This is a civil action in which this Court has original jurisdiction under 28 U.S.C. § 1332. IDS
8 may remove this matter pursuant to the provisions of 28 U.S.C. § § 1441 and 1446 because the amount
9 in controversy exceeds the sum of \$75,000, and Plaintiffs and Defendants Underwriters, Lawrence D.
10 Hilton and Dominion are citizens of different states.

11 REMOVAL TO THIS DISTRICT IS PROPER

12 7.

13 Pursuant to 28 U.S.C. § § 1332, 1441, and 144, removal of the above-captioned state court action
14 to this Court is appropriate.

15 8.

16 Pursuant to 28 U.S.C. § 1441(a), removal is made to this Court as the district embracing the
17 place where the state action is pending.

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Underwriters is providing to Plaintiffs, through their counsels of record, written notice of the filing of this Notice of Removal. Furthermore, Underwriters is filing a copy of this Notice with the Clerk of the Utah County.

DATED: September 7, 2022

PLANT CHRISTENSEN & KANELL

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